

COHN WHITESELL & GOLDBERG LLP

ATTORNEYS AT LAW

101 ARCH STREET

BOSTON, MASSACHUSETTS 02110

TELEPHONE: (617) 951-2505

TELECOPIER: (617) 951-0679

February 24, 2006

BY HAND DELIVERY & ECF

Hon. Marianne B. Bowler
District Court for the District of Massachusetts
1 Courthouse Way, Suite 8420
Boston, MA 02210

**Re: *In re: Pharmaceutical Industry Average Wholesale Price Litigation*
Civil Action No. 01-CV 12257 (D.Mass.)
MDL No. 1456**

Dear Magistrate Judge Bowler:

We represent non-party AmerisourceBergen Corporation ("ABC") in connection with the above-referenced matter. We are pleased to inform the Court that it appears that the parties may have reached an agreement to resolve the dispute reflected in the MDL Plaintiffs' motion to compel and non-party ABC's corresponding motion for a protective order (pending in the United States District Court for the Eastern District of Pennsylvania).

We are writing, jointly on behalf of our client and the MDL Plaintiffs, both to alert the Court to this pending agreement and to ask that the Court not expend further judicial resources addressing the MDL Plaintiffs' motion to compel while the parties work to resolve the dispute amicably. We have likewise requested that Judge McLaughlin in the United States District Court for the Eastern District of Pennsylvania not rule on ABC's pending motion for a protective order in that district. Once we have determined definitively that an agreement has been reached, we will notify the Court promptly.

We are available at the Court's convenience should Your Honor have any questions or require any additional information. We have copied counsel for MDL Plaintiffs, Anthony Sievert and John Macoretta, on this letter.

Respectfully yours,



Nathan R. Soucy

NRS/jmc

February 24, 2006

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cc: Anthony Sievert, Esquire (by U.S. Mail)
John Macoretta, Esquire (by U.S. Mail)
Steve Bizar, Esquire (by U.S. Mail)
Meredith Myers LeConey, Esquire (by U.S. Mail)

1221c/ct ltr re settlement